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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
SOUTHERN DIVISION

CLORISSA D. PORTER, et al.,

Plaintiffs,

vs.

SOUTHERN NEVADA ADULT MENTAL
HEALTH SERVICES, et al.,

Defendants.

Case No. 2:16-cv-02949-APG-PAL

**STIPULATION RE EXPERT DISCOVERY;
[PROPOSED] ORDER**

Plaintiffs Clorissa D. Porter and William D. Spencer (collectively, “Plaintiffs”), Defendants Southern Nevada Adult Mental Health Services, Richard Whitely, Cody Phinney, Chelsea Szklany, Joanne Malay, Leon Ravin, Leo Gallofin, and Paul Shubert (collectively, “State Defendants”), and Defendant Linda J. Fuller-Brown, M.D. f/k/a Linda J. White, M.D. (“White”) submit the following Stipulation.

CURRENT EXPERT DISCOVERY DEADLINES

Pursuant to the parties’ stipulated discovery plan and scheduling order, and the Court’s approval thereof, the following expert discovery deadlines apply in this matter:

- Initial Disclosure of Experts: December 22, 2017
- Rebuttal Disclosure of Experts: January 22, 2018
- Expert Discovery Cut-Off: February 22, 2018

See ECF No. 27 at 4:11-16 (parties’ discovery plan and scheduling order) & ECF No. 32 (Court’s order).

BASIS FOR STIPULATED MODIFICATION OF EXPERT DISCOVERY DEADLINES

Plaintiffs’ operable pleading, the First Amended Complaint, was filed on January 31, 2017. See ECF No. 6. Defendants filed a Fed. R. Civ. P. 12(b)(6) motion to dismiss on March 13, 2017. See ECF No. 22. Plaintiffs filed an opposition to that motion on March 27, 2017. See ECF No. 24. The Court has yet to rule on that motion.

Plaintiffs filed a motion for class certification on September 25, 2017. See ECF No. 38. Defendants filed oppositions to that motion on October 9, 2017. See ECF Nos. 39 & 40. The Court has

1 yet to rule on that motion.

2 The Court's resolution of these motions could substantially affect the need and type of expert
3 disclosures necessary. Additionally, depending on how these motions are resolved, the nature and extent
4 of an expert's review could be substantially affected. In other words, until these pending motions are
5 resolved, the parties will not know what type of expert disclosures are necessary and, thus, are unable to
6 comply with the currently-applicable expert discovery deadlines.

7 **STIPULATED AND PROPOSED MODIFICATION OF EXPERT DISCOVERY DEADLINES**

8 Accordingly, the parties stipulate that the currently-applicable expert discovery deadlines be
9 extend, as follows:

- 10 1. The Initial Disclosure of Experts is EXTENDED from December 22, 2017, to **March 22, 2018**.
- 11 2. The Rebuttal Disclosure of Experts is EXTENDED from January 22, 2018, to **April 23, 2018**.
- 12 3. The Expert Discovery Cut-Off is EXTENDED from February 22, 2018, to **May 23, 2018**.

13 In extending these deadlines, it is the parties' intention to provide additional time for the Court to
14 decide the pending motions, ECF Nos. 22 (motion to dismiss) & 38 (motion for class certification).
15 Accordingly, the parties seek the extensions without prejudice to potential future extensions, in the event
16 that the Court has not yet decided the pending motions when the extended deadlines dates are reached.

17 IT IS SO STIPULATED.

18 Dated: December 8, 2017

Respectfully Submitted,
LAW OFFICE OF MARK E. MERIN

/s/ Mark E. Merin

By: _____
Mark E. Merin
Attorney for Plaintiffs

23 Dated: December 8, 2017

Respectfully Submitted,
Office of the Attorney General

/s/ Linda C. Anderson
(as authorized on December 8, 2017)

By: _____
Linda C. Anderson
Attorney for State Defendants

1 Dated: December 8, 2017

Respectfully Submitted,
Carroll, Kelly, Trotter, Franzen, McKenna & Peabody

/s/ Gerald L. Tan
(as authorized on December 8, 2017)

By: _____
Gerald L. Tan

Attorney for Defendant
Linda J. Fuller-Brown, M.D.
f/k/a Linda J. White, M.D.

21 **[PROPOSED] ORDER**

22 IT IS SO ORDERED:

24 
25 PEGGY A. LEEN
26 UNITED STATES MAGISTRATE JUDGE

27 DATED: December 15, 2017